

Organization \_\_\_\_\_ Bldg./Room \_\_\_\_\_  
UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450

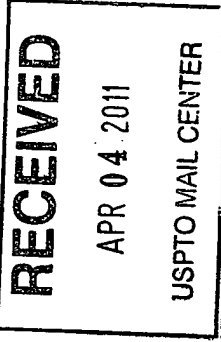
Alexandria, VA. 22313-1450

If Undeliverable Return In Ten Days \_\_\_\_\_

AN EQUAL OPPORTUNITY EMPLOYER



02 1M  
0008003350  
\$ 00.44<sup>0</sup>  
MAR 28 2011  
MAILED FROM ZIP CODE 22206

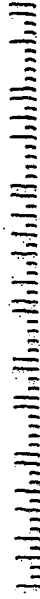


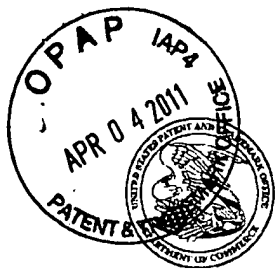
NIXIE 208 DC 1 00 04/01/11

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 22313145050 \*0117-01038-28-40

2008040101050





UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/529,059	04/07/2000	JAMES CAMERON ROSS	2000-0107A

**CONFIRMATION NO. 8457**

WENDEROTH LIND & PONACK  
2033 K STREET NW  
SUITE 800  
WASHINGTON, DC 20006

**MISCELLANEOUS NOTICE**



Date Mailed: 03/28/2011

A communication which cannot be delivered in electronic form has been mailed to the applicant.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/529,059	04/07/2000	JAMES CAMERON ROSS	2000-0107A

WENDEROTH LIND & PONACK  
 2033 K STREET NW  
 SUITE 800  
 WASHINGTON, DC 20006

CONFIRMATION NO. 8457



\*OC000000046788331\*

Cc: STETINA BRUNDA GARRED & BRUCKER  
 75 ENTERPRISE, SUITE 250  
 ALISO VIEJO, CA 92656


Date Mailed: 03/28/11

**DENIAL OF REQUEST FOR POWER OF ATTORNEY**

The request for Power of Attorney filed 3/22/11 is acknowledged. However, the request cannot be granted at this time for the reason stated below.

- ☐ The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.
- ☐ The revocation is not signed by the applicant, the assignee of the entire interest, or one particular principal attorney having the authority to revoke.
- ☒ The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.
- ☐ The person signing for the assignee has omitted their empowerment to sign on behalf of the assignee.
- ☐ The inventor(s) is without authority to appoint attorneys since the assignee has intervened as provided by 37 CFR 3.71.
- ☐ The signature(s) of \_\_\_\_\_, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor(s).
- ☐ The person(s) appointed in the Power of Attorney is not registered to practice before the U.S. Patent and Trademark Office.

Questions relating to this Notice should be directed to the Application Assistance Unit.

  
 Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

## **PROPOSED NEW PROGRAM: "TRACK ONE" ACCELERATED PATENT EXAMINATION:**

On February 4, 2011, the USPTO published in the Federal Register a notice of proposed rulemaking, titled "Changes to Implement the Prioritized Examination Track (Track I) of the Enhanced Examination Timing Control Procedures." The "Three-Track" program is designed to enable applicants to choose the speed with which their patent application is processed. Track I will give applicants the opportunity for prioritized examination of a patent application within 12 months of its filing date for a fee. The Federal Register notice requests comments from the public on a number of different proposed requirements for participation in Track I, including (a) a prioritized examination fee, which is in addition to the current filing fees, the publication fee, and a processing fee; (b) limits on the number of claims to four independent claims and 30 total claims; (c) application filing through the USPTO's electronic filing system (EFS-Web); and other such requirements. The comment period closed 30 days after February 4, 2011. For complete information see the notice at 76 Fed. Reg. 6371.

In preparation for this initiative, look for further announcements including a final notice.

Other available programs which allow prioritized examination include:

**PATENT PROSECUTION HIGHWAY PILOT PROGRAM:** An applicant receiving a ruling from the Office of First Filing (OFF) that at least one claim in an application filed in the OFF is patentable may request that the Office of Second Filing (OSF) fast track the examination of corresponding claims in a corresponding application in the OSF. For further information, see [http://www.uspto.gov/patents/init\\_events/pph/index.jsp](http://www.uspto.gov/patents/init_events/pph/index.jsp) and the Federal Register notice of May 25, 2010, (75 Fed. Reg. 29312).

**GREEN TECHNOLOGY PILOT PROGRAM:** An application pertaining to green technologies including greenhouse gas reduction (applications pertaining to environmental quality, energy conservation, development of renewable energy resources or greenhouse gas emission reduction) may be advanced out of turn for examination. The USPTO has expanded the eligibility for the pilot program to include applications irrespective of filing date and classification, and extended the program until December 31, 2011. For complete information see [http://www.uspto.gov/patents/init\\_events/green\\_tech.jsp](http://www.uspto.gov/patents/init_events/green_tech.jsp)

**PROJECT EXCHANGE:** An application will be advanced out of turn for examination if the applicant files a petition to make special with the appropriate showing. Special status for examination is accorded if the applicant is able to satisfy (i) the requirements set forth in the June 24, 2010 Federal Register notice titled "Expansion and Extension of the Patent Application Backlog Reduction Stimulus Plan" and (ii) the conditions set forth in the November 27, 2009 Federal Register notice titled "Patent Application Backlog Reduction Stimulus Plan," other than the small entity requirement, which was eliminated. This procedure allows applicants having multiple applications currently pending before the USPTO to have greater control over the priority with which their applications are examined. The program has been extended to December 31, 2011. For full details visit [http://www.uspto.gov/patents/init\\_events/PatentStimulusPlan.jsp#heading-1](http://www.uspto.gov/patents/init_events/PatentStimulusPlan.jsp#heading-1)

**ACCELERATED EXAMINATION:** The USPTO will prioritize an application for examination if the applicant files a grantable petition to make special under the accelerated examination program. Under this program applicant can expect examination before the examiner to be disposed of within 12 months of filing of the application. Requirements include a complete application upon filing and a petition filed on the same day. The petition must include, *inter alia*, documentation of a prior art search and a discussion of the most relevant references and the patentability of the claims over those references. For complete details see MPEP § 708.02(a) and <http://www.uspto.gov/patents/process/file/accelerated/index.jsp>

**PEER REVIEW PILOT PROGRAM FY 2011:** A notice titled "A New Pilot Program Concerning Public Submission of Peer Reviewed Prior Art" published in the *Official Gazette* on December 28, 2010. The notice provides details about the viability of using Internet technologies and the power of crowdsourcing to uncover potentially useful prior art for consideration by patent examiners during the examination process. For more information on the pilot and how to participate, visit [http://www.uspto.gov/patents/init\\_events/peerpriorartpilotindex.jsp](http://www.uspto.gov/patents/init_events/peerpriorartpilotindex.jsp)